

VZCZCXYZ0007
PP RUEHWEB

DE RUEHBBO #6932/01 2671853
ZNR UUUUU ZZH (CCY AD0FC7E3 MSI1989-695)
P 241853Z SEP 07 ZDS
FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WASHDC PRIORITY 9084
INFO RUEHCV/AMEMBASSY CARACAS PRIORITY 9332
RUEHLP/AMEMBASSY LA PAZ SEP 8925
RUEHZP/AMEMBASSY PANAMA PRIORITY 0652
RUEHQD/AMEMBASSY QUITO PRIORITY 6019

UNCLAS BOGOTA 006932

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C O R R E C T E D C O P Y T E X T

E.O. 12958: N/A

TAGS: [ELAB](#) [PGOV](#) [PREL CO](#)

SUBJECT: COLOMBIA'S NEW VICTIMS' PROTECTION PROGRAM UNDER JUSTICE AND PEACE LAW

SUMMARY

¶1. The Ministry of Interior and Justice (MIJ) issued a decree on September 18 creating an integrated program to protect almost 70,000 victims who have denounced paramilitary crimes or sought redress under the Justice and Peace Law (JPL). The decree assigns the national police (CNP) the task of working with victims groups in high-risk municipalities, instructs the MIJ to extend its current protection program to leaders of victims' groups who face medium or high risk threats, and orders the Prosecutor General's Office (Fiscalia) to expand its witness protection program to victims who are at risk because of their involvement in the JPL process. Still, the GOC must issue implementing regulations before the new scheme becomes fully operational.
End Summary

NEW VICTIMS' PROTECTION PROGRAM CREATED

¶2. Decree 3570, issued by the MIJ on September 18, 2007, creates an expanded program to protect almost 70,000 victims who have come forward as part of the Justice and Peace Law (JPL) to denounce paramilitary crimes or seek redress. President Uribe instructed the MIJ to work with the CNP and the Fiscalia to design a new, unified protection scheme after the January murder of victims' advocate Yolanda Izquierdo revealed serious gaps in the GOC's existing protection programs. Under the decree, each agency will receive additional funding to reflect its expanded work load. Still, the GOC must issue implementing regulations before the new scheme becomes fully operational.

THREE-PRONGED APPROACH TO PROTECTION

¶3. Presidential Human Rights Director Carlos Franco provided us the text of the protection decree, which envisions a three-part scheme including: 1) CNP to set up dedicated police units, with additional resources, in 30 high-risk municipalities to provide collective protection to victims and to build relations with victims' groups; 2) MIJ to extend its existing protection program for journalists, human rights activist, and labor leaders to include leaders of victims' groups who face medium or high risk threats; 3) the Prosecutor General's Office (Fiscalia) to extend its witness protection and relocation program to include victims who do

not fall within the MIJ's categories but face medium or high individual risks due to their participation in the JPL process. Franco said the GOC will allocate an additional \$3 million in 2007 to help the CNP and the Fiscalia cover the cost of these new duties. The budget of the MIJ program will be increased from 77 billion pesos (approximately \$38 million) to 82 billion pesos (or approximately \$41 million) in 2008.

¶4. MIJ Protection Program Director Rafael Bustamante said under the proposed protection scheme, MIJ will provide immediate, individualized protection measures to 250 victims determined to be at greatest risk. Such measures may include armored cars, bodyguards, home security, and surveillance systems, depending on the level of risk identified by investigators from the national intelligence service (DAS). He confirmed the collective security measures provided by the police will focus on the broader population of victims involved in the Justice and Peace process. An inter-agency subcommittee for the protection of victims and witnesses will convene every two months to identify the 30 municipalities in which victims are at greatest risk. The Interagency Committee for Justice and Peace will approve those municipalities, and the police will focus their protection efforts in those areas.

¶5. Bustamante said a key goal of the new protection scheme is to strengthen dialogue between victims' groups, local authorities, and the police. Increasing confidence in first responders through training for both the local police and the victims will enable local authorities to better protect victims. Police designated to the protection program will receive training in gender sensitivity and human rights. The GOC believes that if victims feel comfortable seeking protection from local police, they will get assistance sooner than by contacting centralized authorities in Bogota.

CURRENT PROGRAM IS EFFECTIVE

¶6. The MIJ's current protection program for at-risk groups has been largely successful. Over 6,000 individuals were protected by that program in 2006. None of the 1,500 unionists enrolled in the program were killed in 2006. Bustamante said that in addition to protecting victims' leaders, his office plans to expand the program to cover more people in each at-risk group as needed. Still, he cautioned that admission to the program would depend on careful analysis and DAS risk assessments.

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